

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/751,182	YABUSAKI, KENICHI K.	
	Examiner	Art Unit	
	Darren W. Ark	3643	

All Participants:

(1) Darren W. Ark.

(2) John F. Brady.

Status of Application: Non-Final Rejection

(3) _____

(4) _____

Date of Interview: 15 September 2005

Time: 3:00pm EST

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

102(b) rejection of claims 19, 21, 36, 37, and 45 by Cain '165

Claims discussed:

19, 21-47

Prior art documents discussed:

Prior art of record

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

DARREN W. ARK
PRIMARY EXAMINER


 (Examiner/SPE Signature)

 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner stated that Cain '165 discloses a thimble open end (14), means for attaching to clothing comprising an attachment strip (34), and a loop (32), wherein the strip is intermediate between the body (16, 14) and the loop (32). Applicant stated that possibly an agreement on allowable subject matter could be reached but that the exact orientation configuration of the attachment strip (68) should not be required to overcome Cain. Examiner stated that it would be necessary to particularly define, not only the configuration of the attachment strip (68) of the present invention but the manner in which the strip is attached to the loop (70 as shown in applicant's Fig. 3). Examiner stated it should be recited that "the attachment strip having an one end portion attached to the body and another end portion which extends outwardly from the body, through the loop, and then back toward the body so that the another end portion encircles a portion of the loop". Applicant stated that the claims would be too narrow if the exact configuration of the another end portion and how it exactly attaches to the loop were recited and Examiner agreed. The Examiner and applicant suggested that the loop be recited as being "attached to the another opposite end portion". Examiner stated that this limitation would not be enough to overcome Cain since in Fig. 4 of Cain it is shown that the vertically oriented rectangular area about stitching 34 could be construed to be an attachment strip and therefore the right end/side of this strip which is attached to loop (32) adjacent material (36) could be interpreted as extending outwardly away from the body (16) when the loop (32) is extended away from the body. Examiner suggested the limitation "such that a plane in which the loop extends is disposed at an angle relative to the open end of the thimble" to be added to describe the different orientation of the loop of the present invention versus the loop (32) of Cain's which is in the same generally plane as the thimble open end (16). Applicant disagreed since the loop of the present invention can assume many different angles relative to the open end since it is pivotally mounted to the attachment strip wherein if the loop assumes a horizontal orientation then it is not at an angle relative to the open end but instead parallel to the open end of the thimble. Applicant suggested amending the claims to recite the loop as being pivotally attached to the attachment strip which is not shown in Cain which has stitching (34) for attaching the loop to the body. Examiner stated that the loop (32) of Cain is pivotally attached to the body (16) by the stitching (34) since the loop (32) can move relative to the stitching. Applicant suggested reciting the body as being rigid which is not shown in Cain and Examiner stated that such a limitation would merely be exchanging the type of material in which the body of Cain is made. Applicant also suggested amending the claims to recite that the another opposite end portion as having an aperture, but Examiner stated that the stitching (34) of Cain could be interpreted as comprising an aperture since the stitching represents a to hold the loop (32) would represent at least one aperture formed by a stitch. Examiner suggested reciting a bend in the attachment strip between the one end portion and the opposite end portion and that the claims should also recite that "the another opposite end portion extending from the bend in a cantilevered manner" to define over the Cain patent whose bends represented by stitching do not have the opposite end portion (right side of 34 adjacent 36) extending in a cantilevered (supported at one end) manner from the bend. Examiner and applicant considered a proposed limitation of merely the attachment strip having a bend between the ends, but Examiner indicated that Cain discloses an attachment strip with ends (top and bottom ends in Fig. 4) and a bend between the ends (stitching represents bends between the ends). Applicant agreed to the proposed change incorporating the bend and the cantilevered opposite end portion extending from the bend, but requested that with this limitation, that the recitations of the loop and its attachment to the opposite end portion and also the opposite end portion extending outwardly from the body are not required to define over Cain. Examiner agreed. Examiner indicated that these amendments may overcome Cain, but that other patents of record may read on these limitations. For instance, Manzanarez 3,729,035 discloses a thimble (10); a curved blade (16, 20 have curved outer portions) with a curvature matching the thimble (see Fig. 3) and a concave side (see Fig. 2); means for attaching comprising an attachment strip (12, 14) with one end (attached to 10), a bend (generally at 12 and 14 interface), and an opposite end (at 14) extending in a cantilever fashion. Freitag 971,186 discloses one end (b), a bend (rectangular frame of buckle c or attachment portion of clasp of buckle c), and an opposite end (clasp of buckle c). Southworth 931,511 discloses a thimble (A); a blade (C); an attachment strip (1), a bend (2 or proximal part of closest link to 1), and opposite end (3 or distal part of closest link to 1). Buchman discloses one end (first of C joined to A), a bend (hinge of C), and opposite end (second of C joined to A). Woods 203,978 discloses one end (ears of A), a bend (C), and an opposite end (a). In order to overcome Manzanarez, the Examiner suggested amending the claims to recite the loop extending through an aperture of the opposite end portion to overcome Manzanarez. To overcome Freitag, Southworth, Buchman, and Woods, the Examiner suggested amending the claims to recite the manner in which the one end portion is attached to the body such as the one end portion abutting the body in attachment since each of Freitag, Southworth, Buchman, and Woods disclose their respective one end portions as being integral with the body. Applicant agreed. Examiner also stated with regard to claim 36, paragraph c) that it should be changed to recite the same sort of configuration rather than the "aperture in the body

near the open end" which represents a non-elected embodiment. Examiner suggested possibly the aperture could be interpreted as the aperture formed by the end of the attachment strip (62), but for purposes of consistency claim 36 paragraph c) would be changed to closely resemble claim 19, paragraph c). Claims 30-32, 34, and 35 were re-joined with their respective independent claims since the independent claims are generic so that they may be included. Claims 26, 37-39, 41, 42 were canceled since claim 19 is not generic to their respective claimed subject matter. Examiner will also provide marked up copies of Figs. 2 and 3 to include reference nos. 57 (larger end of thimble), 65 (bend in attachment strip between one end portion and opposite end portion), 67 (attachment strip one end portion), and 69 (attachment strip opposite end portion). Please see the Examiner's Amendment for details.